



General Assembly

January Session, 2005

Raised Bill No. 1142

LCO No. 3751

03751_____TRA

Referred to Committee on Transportation

Introduced by:
(TRA)

AN ACT AMENDING USE OF MARINE DEALER'S REGISTRATION NUMBERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 15-145 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 (a) A marine dealer or marine engine manufacturer may obtain one
4 or more marine dealer's registration numbers upon application to the
5 Commissioner of Environmental Protection, and upon payment of a
6 fee of fifty dollars for each number. Such funds shall be deposited in
7 the boating account of the Conservation Fund. Such application shall
8 contain an affidavit stating that (1) such marine dealer is a person
9 engaged in the business of manufacturing, selling or repairing new or
10 used vessels and that such person has an established place of business
11 for the sale, trade, display or repair of such vessels, or (2) such marine
12 engine manufacturer is a person engaged in the business of
13 manufacturing, selling or repairing marine engines and that such
14 person has an established place of business for the sale, trade, display
15 or repair of such engines. A marine dealer's or marine engine
16 manufacturer's registration certificate shall be denominated as such

17 and shall state the dealer's or engine manufacturer's name, residence
18 address, business address, registration number, the expiration date of
19 the certificate and such other information as the Commissioner of
20 Environmental Protection may prescribe. The certificate, or a copy of
21 the certificate, shall be carried aboard and shall be available for
22 inspection upon each vessel which displays the dealer's registration
23 number whenever such vessel is in operation. A number or certificate
24 may not be used on more than one vessel at a time. Each certificate
25 shall be renewed on the first day of May of the year following the date
26 of issue and shall expire on the last day of April of the year following
27 such renewal, unless sooner terminated or surrendered. At least thirty
28 days prior to the expiration day of each certificate, the Commissioner
29 of Environmental Protection shall notify each dealer and manufacturer
30 of such expiration. Within ninety days before its expiration, each
31 dealer's or manufacturer's certificate may be renewed upon application
32 and upon payment of the fee provided in this section. Each registration
33 number assigned to a marine dealer or marine engine manufacturer
34 shall remain the same so long as such dealer or manufacturer
35 continues, under the same name, in the business described in such
36 dealer's or manufacturer's application affidavit as required pursuant to
37 this subsection.

38 (b) A marine dealer's registration number shall be displayed in such
39 manner as the Commissioner of Environmental Protection prescribes
40 on vessels operated for the purpose of sale, trade, repair or transport
41 and on any vessel sold by such dealer for not more than five days after
42 the date of such sale, and on any vessel used by a marine engine
43 manufacturer for the sole purpose of testing or demonstrating marine
44 engines manufactured or repaired by such person. Any vessel
45 displaying a marine dealer's registration number shall be presumed to
46 be properly registered.

47 (c) No marine dealer or marine engine manufacturer may (1) rent, or
48 allow or cause to be rented, (2) operate, or allow or cause to be
49 operated, for hire, or (3) use, or allow or cause to be used, for the

50 purpose of conveying passengers or merchandise or freight for hire,
51 any vessel registered with a marine dealer's or marine engine
52 manufacturer's number and certificate. No marine dealer or marine
53 engine manufacturer may loan a number certificate to any person
54 except (A) for the purpose of demonstrating a vessel; (B) when a vessel
55 owned by or lawfully in the custody of such person is undergoing
56 repairs; or (C) when such person has purchased a vessel, the
57 registration of which has not yet been completed and in any case for
58 not more than five consecutive days. Each marine dealer or marine
59 engine manufacturer shall keep a record of each loaned number
60 certificate showing the date loaned, the vessel hull identification
61 number (HIN) of the vessel on which such number is displayed, the
62 date returned and the name and address of the person operating any
63 vessel with such loaned number certificate. Such dealer or engine
64 manufacturer shall give a copy of this record to each person to whom
65 such number certificate is loaned, which copy shall be carried in the
66 vessel at all times when operated. This record shall be retained by the
67 dealer or engine manufacturer for a period of six months from the date
68 on which the number certificate was loaned and such record shall be
69 available during business hours for examination by any police officer,
70 marine officer or conservation officer.

71 (d) Any marine dealer may operate, or cause to be operated by a
72 bona fide full-time employee, a vessel with a marine dealer's
73 registration number (1) while a potential purchaser or customer is
74 aboard, (2) when running a new vessel from an import terminal to the
75 dealer's place of business, (3) when test running a new vessel after
76 receiving it from the manufacturer, (4) when delivering a sold vessel to
77 the new owner, (5) when running a trade-in vessel from a buyer, (6)
78 when test running a trade-in vessel before it is made available for sale,
79 (7) when running a vessel to, and using a vessel in, a fishing
80 tournament, [and] (8) when used in connection with the dealer's
81 business, (9) when used for the pickup and delivery of parts used in
82 connection with the dealer's business, (10) when used for the dealer's
83 personal use, (11) when used by a part-time employee of the dealer

84 only in connection with the business of the marine dealer, and (12)
 85 when test running a vessel after repairs, maintenance or winter
 86 storage. Each marine dealer shall maintain a record of the following:
 87 (A) Each marine number certificate issued by the commissioner to such
 88 dealer, (B) the name, address and occupation of any bona fide full-time
 89 employee to whom such certificate has been assigned, (C) the date of
 90 assignment of such certificate, and (D) the exact location of each
 91 unassigned certificate. For the purposes of this subsection, "bona fide
 92 full-time employee" means a person who is employed by a marine
 93 dealer for not less than thirty-five hours per week and who appears on
 94 the records of such marine dealer as an employee for whom tax is
 95 withheld for Social Security, federal income tax and any other
 96 withholding or deductions from salary required by law.

97 (e) No person may use a vessel with a marine dealer's or marine
 98 engine manufacturer's registration number for any purpose other than
 99 the purposes described in this section. The commissioner may revoke
 100 any marine dealer's or marine engine manufacturer's registration
 101 number under this section if any vessel with a number issued to such
 102 dealer or engine manufacturer is used in violation of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	15-145

Statement of Purpose:

To extend the purposes for which a marine dealer's registration number may be used to include use in connection with the business.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]